

REMARKS

Claims 1, 3-8, 11, 13, 14 and 16-20 are pending in this application. By this Amendment, claims 1, 7 and 8 are amended. No new matter is added. Claims 2, 9, 10, 12 and 15 are canceled without prejudice to, or disclaimer of, the subject matter contained in those claims. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

The Office Action rejects claims 1-5, 7-14 and 18-20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,741,615 to Saitoh et al. (hereinafter "Saitoh '615") in view of U.S. Patent No. 4,539,054 to Morimoto (hereinafter "Morimoto"). Claims 6 and 15-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Saitoh '615 in view of U.S. Patent No. 5,417,770 to Saitoh et al. (hereinafter "Saitoh '770"). Applicants respectfully traverse these rejections.

The Office Action asserts that Saitoh '615 and Morimoto teach the features recited in claims 1, 7 and 8. However, the combination of Saitoh '615 and Morimoto fails to teach, or suggest, a photoelectric transducer including at least a first pin junction part "wherein the first i-layer is formed by at least partly bonding the hydrogen atom to the silicon atom and the iron atom," as recited in amended claims 1, 7 and 8.

Specifically, Saitoh '615, in col. 4 lines 25-26 and 34-35, discloses the dangling bonds of the silicon atoms are compensated by the Na and Mg atoms and the Na and Mg atoms are substituted by the H atoms. The Office Action concedes that Saitoh '615 does not disclose the bond between the hydrogen and iron atom as recited in amended claim 1. The Office Action relies on Morimoto to overcome this deficiency of Saitoh '615.

Additionally, the Office Action improperly combines Saitoh '615 and Morimoto.

Saitoh '615 teaches technology to reduce the content of the iron atom as much as possible. In claim 1 of Saitoh '615 the light receiving layer has an iron atom in an amount of 0.9 atomic ppm or less. Further, at col. 3, lines 64- col. 4, lines 3, Saitoh '615 teaches that "when the multi-layered light receiving layer is incorporated with...iron atoms...in a specific amount of 0.9 atomic ppm or less, the foregoing problems in the prior art are effectively solved," i.e., the resulting non-Si film becomes one that excels in electric and optical characteristics.

Morimoto teaches away from Saitoh '615 by teaching an iron content sufficiently higher.

Thus, one of ordinary skill in the art would not look to combine Saitoh '615 and Morimoto in addressing the problems confronting the Applicants, since they teach away from each other.

Accordingly, Applicants respectfully assert that Saitoh '615, Morimoto and Saitoh '779, either individually or in combination, fail to disclose or suggest all of the features recited in independent claims 1, 7 and 8.

For at least the above reasons, the applied prior art references cannot reasonably be considered to teach, or to have suggested, the combinations of all of the features recited in at least claims 1, 7 and 8. Further, claims 3-6, 11, 13, 14 and 16-20 would also not have been suggested by the applied prior art references for at least the respective dependence of these claims on allowable independent claims 1, 7 and 8, as well as for the separately patentable subject matter that each of these claims recite.

Accordingly, reconsideration and withdrawal of the rejection of claims 1, 3-8, 11, 13, 14 and 16-20 under 35 U.S.C. §103(a) as being unpatentable over the combination of applied prior art references are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3-6, 7, 8, 11, 13, 14 and 16-20 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: July 3, 2007

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